

**Notice of Allowability**

Application No.

09/505,486

Examiner

FIRMN BACKER

Applicant(s)

BRATTON, TIMOTHY ROBERT

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 6<sup>th</sup>, 2006.
2. ☒ The allowed claim(s) is/are 22-25,30-32,35-39,44-46 and 49-68.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

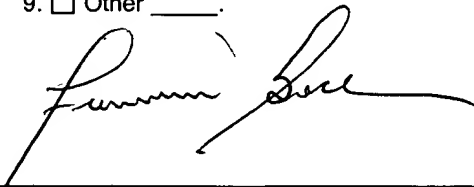
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



***Allowable Subject Matter***

1. Claims 22-25, 30-32, 35-39, 44-46 and 49-68 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  - a. Applicant provides a system for removing one or more selected segments of a digital signal stream that represents an assembly of information-bearing sounds (ISA), including but not limited to music and one or more human voices, to produce a remainder data file (referred to as a reduced data file, or ISDF), having one or more components, after decimation of the ISA by removal of the PPC(s). Applicant's invention is novel and innovative in the sense that it divides the digital sound file into first and second data files, wherein the first data file comprising the digital sound file having at least one segment removed from each of a plurality of locations within the digital sound file, and the second data file comprising the segments removed from each of a plurality of locations within the digital sound file. The invention further encrypting at least a portion of the first data file using an encryption key; communicating to the electronic device for persistent storage on the electronic device, a selected one of the first data file and the second data file; and communicating to another electronic device for delivery to the electronic device, the unselected one of the first and second data files, the delivery to the electronic device from the other electronic device being through a selected one of a) a removable storage medium and b) a data stream via a communications network. REITMEIER, the closest prior art teaches a method and apparatus for securing and, optionally, distributing an information stream by divided the information stream into a collection of segments and

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compressing the segments, rearranging the order of the segments and encrypting the segments prior to, e.g., distributing the encrypted segments to one or more users within an information distribution system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

b. Daniels (U.S. PG Pub No. 2005/0188409) *teaches an event-recording device records an event on a recording medium. At least one edit-record interval is selected during the recording of the event corresponding to a respective selected portion of the recorded event. A start-record signal is generated dependent on each selected edit-record interval. Each start-signal is recorded on the recording medium along with the recorded event. During a subsequent edit-recording operation each start-record signal is detected from the recording medium, and a playback device and an edited-recording device are controlled during the edit-recording operation so that a play-back operation to play-back the event from the recording medium is performed by the playback device and a record*

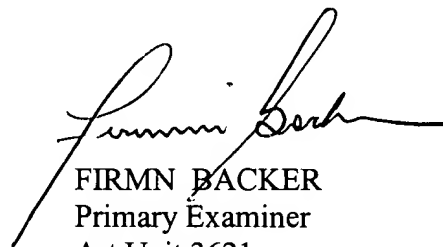
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*operation to record an edited version of the event is performed by the edited-recording means depending on each detected start-record signal to automatically edit and record a copy of the recorded event having each selected edit-record interval, without including the unselected portions of the recorded event.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
FIRMN BACKER  
Primary Examiner  
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February 1, 2006